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July 3, 2014

Via ECF and Via PDF email to:
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Hon. Cathy Seibel, U.S.D.J.
United States District Court
Southern District
300 Quarropas Street, Room 633
White Plains, New York 10601-4150

Re: Barboza v. Village of Liberty, Dagata, Gorr and Zangla
Case No.: 13-CV-4067 (CS)
Our File No.: 08977 - 65604

Dear Judge Seibel:

This office represents the defendants, the Village of Liberty, Stephen D'Agata and Melvin Gorr in this action. This letter is written in order to request a brief two (2) week extension of time, on behalf of all named defendants, to file their contemplated Rule 56 motions for summary judgment.

Pursuant to the Scheduling Order now in place, the defendants are required to serve their Rule 56 motions on or before July 18, 2014; the plaintiff is to serve his opposition to the defendants' motion, and his cross-motion, on or before September 5, 2014; the defendants' are to serve their reply and opposition to the cross-motion on or before October 3, 2014; and the plaintiff is to serve his reply on his cross-motion on or before October 17, 2014.

The undersigned, on behalf of the Village of Liberty, D'Agata and Gorr proposes a brief two (2) week extension of time for all defendants to serve their Rule 56 motions for summary judgment, with the new proposed deadline date being August 1, 2014. With the new proposed date for the service of the defendants' motion, it is also requested that the other deadline dates be reciprocally pushed back by fourteen (14) days – i.e. the plaintiff's time to serve his opposition/cross-motion shall be September 19, 2014; the defendants' time to reply, and oppose the plaintiff's cross-motion shall be October 17, 2014; and the time for the plaintiff to reply on the cross-motion shall be October 31, 2014.


My request for a brief extension of time in which to serve the subject summary judgment motion is based on the fact that I have a multitude of motions which are due to be served and filed this month, and my ability to attend to all of these motions has been compromised by a lengthy trial I have just completed in June. No prior application for an adjournment of the current motion schedule has been made by any party. Finally, all

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opposing counsel have graciously consented to the proposed adjustment to the motion schedule, as indicated above.

I thank the Court for its time, attention and consideration in this matter.

Respectfully,



ADAM L. RODD

ALR/ev/370036

cc: Samuel S. Yasgur, Esq., Samuel S. yasgur, Esq., Sullivan County
Stephen Bergstein, Bergstein & Ullrich, LLP
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